

Form 149

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

In re:

**David W Murphy**  
**Bambi L Murphy**  
Debtor(s)

Bankruptcy Case No.: 18-21773-GLT  
Issued Per 6/11/2018 Proceeding  
Chapter: 13  
Docket No.: 26 - 15  
Concil. Conf.: November 8, 2018 at 01:30 PM

**ORDER OF COURT CONFIRMING PLAN AS MODIFIED  
AND SETTING DEADLINES FOR CERTAIN ACTIONS**

**(1.) PLAN CONFIRMATION:**

IT IS HEREBY ORDERED that upon consent of the Debtor(s), the Chapter 13 Plan dated April 18, 2018 is CONFIRMED as modified at the Plan confirmation hearing. Terms of the Plan not expressly modified by this Order remain in full force and effect. A copy of this Plan was previously mailed to you. *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic Plan payment is amended to be \$ as of . Debtor(s)' counsel shall file a motion to amend the income attachment order within seven (7) days of the date of this Order.
- ☐ B. The length of the Plan is increased to a total of months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved. The total length of the Plan shall not exceed sixty (60) months.
- ☒ C. Plan confirmation is on an interim basis only as a form of adequate protection. The Trustee is authorized to distribute to secured and priority creditors with percentage fees. ***A final plan conciliation conference will be held on Nov. 8, 2018 at 01:30 PM, in 3251 U.S. Steel Tower, 600 Grant Street, Pittsburgh, PA 15219.*** If the Parties cannot resolve all disputes at the conciliation conference, a hearing will be scheduled and orally announced at the conclusion of the conference without any further written notice to any party. Parties are directed to monitor the Court's docket and read the Chapter 13 Trustee's minutes of the conciliation conference to the extent such parties desire more information regarding the outcome of the conciliation conference.
- ☒ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. shall be paid monthly payments of \$ beginning with the Trustee's distribution and continuing for the duration of the plan term, to be applied by that creditor to its administrative claim, budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim: .
- ☒ H. Additional Terms: The secured claim(s) of the following Creditor(s) shall govern as to claim amount, to be paid at the modified plan terms: Claim No. 2 of One Main.

**(2.) IT IS FURTHER ORDERED THAT THE FOLLOWING DEADLINES ARE ESTABLISHED:**

**A. Objections to the Plan.** Pursuant to *Fed.R.Bankr.P. 2002(b)*, this Order shall not become final for a period of twenty-eight (28) days. Any party in interest with an objection to any provision of this Confirmation Order must file a written objection within that twenty-eight (28) day period. Failure to timely object shall be deemed a waiver of all objections and an acceptance of the provisions of this confirmed Plan. The Trustee may disburse funds pursuant to this confirmation order upon its entry.

**B. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates sales of assets or litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**C. Review of Claims Docket and Objections to Claims.** Pursuant to *W.PA.LBR 3021-1(c)(2)*, the Debtor or Debtor's attorney, if represented, shall review the proofs of claim filed and shall file objections to any disputed claims within ninety (90) days after the claims bar date or, for late filed or amended claims, within ninety (90) days after they are filed and served. Absent an objection, the proof of claim will govern as to the classification and amount of the claim. Objections filed after the ninety (90) days specified herein shall be deemed untimely.

**D. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**E. Filing Amended Plans.** Within fourteen (14) days after the Bankruptcy Court resolves the priority, avoidability, or extent of a lien, or any objection to claim, the Debtor(s) shall file an amended Plan to provide for the allowed amount of the claim if the allowed amount differs from the amount stated in the plan. Debtor(s) shall also file an amended Plan within thirty (30) days after the claims bar date(s) in the event that no objection is filed and the claim(s) as filed causes the Plan to be underfunded.

(3.) ***IT IS FURTHER ORDERED THAT:***

**A.** After the claims objection deadline, the Plan shall be deemed amended to conform to the claims filed or otherwise allowed. If the Plan expressly modified the terms of payment to any creditor pursuant to *11 U.S.C. §1322(b)(2)*, nothing in this Order shall be construed to change the payment terms established in the Plan.

**B.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor's counsel must file a fee application in accordance with *W.PA.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default. If the default involves failure to make a plan payment the case will result in dismissal without further hearing upon filing and service of an *Affidavit of Default* by the Trustee. The Trustee is not precluded from raising pre-confirmation defaults in any subsequent motion to dismiss.

**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any ***secured claim*** that is secured by the subject property, unless directed otherwise by further Order of Court.



Gregory A. Taddonio, Judge  
United States Bankruptcy Court

Dated: June 14, 2018

cc: All Parties in Interest to be served by Clerk in seven (7) days

**Certificate of Notice Page 4 of 5**  
 United States Bankruptcy Court  
 Western District of Pennsylvania

In re:  
 David W Murphy  
 Bambi L Murphy  
 Debtors

Case No. 18-21773-GLT  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0315-2

User: dbas  
 Form ID: 149

Page 1 of 2  
 Total Noticed: 38

Date Rcvd: Jun 14, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 16, 2018.

db/jdb  
 cr  
 +David W Murphy, Bambi L Murphy, 707 Ferne Drive, Kittanning, PA 16201-2311  
 +Peoples Gas Company LLC, f/k/a Peoples TWP LLC, c/o S. James Wallace, P.C.,  
 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828  
 14825972 +AT & T, 10550 Deerwood Park Blvd, Jacksonville, FL 32256-0596  
 14825973 Barclays Bank Card, P.O. Box 8801, Wilmington, DE 19899-8801  
 14825974 Barclays Bank Card, P.O. Box 23870, Jacksonville, FL 32241-3870  
 14825975 +Beneficial/hfs, PO Box 5263, Carol Stream, IL 60197-5263  
 14825977 +Client Services, Inc., 3451 Harry Truman Bl, Saint Charles, MO 63301-9816  
 14825978 +Credit Control LLC, PO Box 31179, Tampa, FL 33631-3179  
 14860543 +Department Stores National Bank, Citibank, N.A., 701 East 60th Street North,  
 Sioux Falls, SD 57104-0493  
 14825982 GM Financial, P.O. Box 78143, Phoenix, AZ 85062-8143  
 14825981 +Glen Toy, 505 North Crescent St, Kittanning, PA 16201-2213  
 14825984 +HSBC, CML Customer Resolution Department, 1421 W. Shure Drive, Suite 100,  
 Arlington Heights, IL 60004-7818  
 14825985 HSBC Mortgage Services, P.O. Box 17580, Baltimore, MD 21297-1580  
 14825983 +Hayt, Hayt & Landau, LLC, Two Industrial Way West, Eatontown, NJ 07724-2279  
 14825986 +Joshua McNamara, Esq., Hayt, Hayt, & Landau LLC, Meridian Center I, 2 Industrial Way West,  
 Eatontown, NJ 07724-2279  
 14825988 Macy's, P.O. Box 31179, San Antonio, TX 78265-9728  
 14825990 Midland Mortgage, P.O. Box 269074, Oklahoma City, OK 73126-9074  
 14825991 Northstar Location Services, 4285 Genesee Street, Buffalo, NY 14225-1943  
 14825992 Northstar Location Services LLC, Attn: Financial Services Dept., 4285 Genesee St.,  
 Buffalo, NY 14225-1943  
 14825993 +One Main Financial, Bankruptcy Department, 725 Industrial Boulevard,  
 London, KY 40741-7288  
 14825995 Pressler & Pressler LLP, 7 Entin Rd, Parsippany, NJ 07054-5020  
 14826000 VW Credit, P.O. Box 5215, Carol Stream, IL 60197-5215  
 14856303 +VW Credit Leasing, Ltd, c/o VW Credit, Inc., PO Box 9013, Addison, Texas 75001-9013  
 14825999 Victoria's Secret, PO Box 659728, San Antonio, TX 78265-9728

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

14825976 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 15 2018 01:46:55 Capital One Bank,  
 P.O. Box 5155, Norcross, GA 30091  
 14849298 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 15 2018 01:47:44  
 Capital One Bank (USA), N.A., PO Box 71083, Charlotte, NC 28272-1083  
 14857600 E-mail/PDF: AIS.cocard.ebn@americaninfosource.com Jun 15 2018 01:47:45 Capital One, N.A.,  
 PO Box 71083, Charlotte, NC 28272-1083  
 14825979 E-mail/PDF: creditonebknofications@resurgent.com Jun 15 2018 01:46:19 Credit One Bank,  
 PO Box 98878, Las Vegas, NV 89193-8878  
 14825980 +E-mail/Text: collectionbankruptcies.bancorp@53.com Jun 15 2018 01:42:01 Fifth Third Bank,  
 c/o Bankruptcy Dept. Mdropso5, 1850 East Paris, Grand Rapids, MI 49546-6210  
 14825987 +E-mail/PDF: resurgentbknofications@resurgent.com Jun 15 2018 01:59:32 LVNV Funding,  
 P.O. Box 1269, Greenville, SC 29602-1269  
 14825989 E-mail/Text: bankruptcydpt@mcsmcg.com Jun 15 2018 01:41:40 Midland Credit Management, Inc.,  
 PO Box 60578, Los Angeles, CA 90060-0578  
 14855935 E-mail/PDF: cbp@onemainfinancial.com Jun 15 2018 01:46:07 OneMain, P.O. Box 3251,  
 Evansville, IN 47731-3251  
 14825994 E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jun 15 2018 01:46:55  
 Portfolio Recovery Associates LLC, PO Box 12914, Norfolk, VA 23541  
 14826802 +E-mail/PDF: PRA\_BK2\_CASE\_UPDATE@portfoliorecovery.com Jun 15 2018 01:47:45  
 PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 14825996 E-mail/Text: bankruptcy@sccompanies.com Jun 15 2018 01:42:20 Seventh Avenue,  
 1112 7th Avenue, Monroe, WI 53566-1364  
 14863251 +E-mail/Text: bankruptcy@sccompanies.com Jun 15 2018 01:42:20 Seventh Avenue,  
 c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849  
 14825997 E-mail/PDF: gecsedirecoverycorp.com Jun 15 2018 01:46:09  
 Synchrony Bank/Dicks Sporting Goods, P.O. Box 965004, Orlando, FL 32896-5004  
 14825998 E-mail/PDF: gecsedirecoverycorp.com Jun 15 2018 01:47:41 Synchrony Bank/Walmart,  
 P.O. Box 530927, Atlanta, GA 30353-0927  
 14825999 E-mail/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM Jun 15 2018 01:41:17 Victoria's Secret,  
 PO Box 659728, San Antonio, TX 78265-9728

TOTAL: 15

\*\*\*\*\* BYPASSED RECIPIENTS (undeliverable, \* duplicate) \*\*\*\*\*

cr MidFirst Bank  
 cr\* +PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021

TOTALS: 1, \* 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

District/off: 0315-2

User: dbas  
Form ID: 149

Page 2 of 2  
Total Noticed: 38

Date Rcvd: Jun 14, 2018

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 16, 2018

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on June 14, 2018 at the address(es) listed below:

Dai Rosenblum on behalf of Debtor David W Murphy Jody@dairosenblumbankruptcy.com,  
pjbz@zoominternet.net;Dai@dairosenblumbankruptcy.com;Michael@dairosenblumbankruptcy.com  
Dai Rosenblum on behalf of Joint Debtor Bambi L Murphy Jody@dairosenblumbankruptcy.com,  
pjbz@zoominternet.net;Dai@dairosenblumbankruptcy.com;Michael@dairosenblumbankruptcy.com  
James Warmbrodt on behalf of Creditor MidFirst Bank bkgroup@kmlawgroup.com  
Office of the United States Trustee ustpreion03.pi.ecf@usdoj.gov  
Ronda J. Winnecour cmecf@chapter13trusteedpa.com  
S. James Wallace on behalf of Creditor Peoples Gas Company LLC, f/k/a Peoples TWP LLC  
sjw@sjwpgh.com, srk@sjwpgh.com;PNGbankruptcy@peoples-gas.com

TOTAL: 6